SSACHUSETTS Programme Programme
Docket No. 04-12301-RGS
OF COMPLIANCE CULE 16.1(D)(3) Vells. and his counsel, Bingham McCutchen

LLP have conferred:

- with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and
- to consider the resolution of the litigation through the use of (b) alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

BINGHAM MCCUTCHEN LLP,

By:

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May /6, 2005

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served by first class mail on all counsel of record, this /6 day of May, 2005.